

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

BRIAN RICHARD FARRELL,

Defendant.

NO. CR15-029RAJ

DISCOVERY PROTECTIVE ORDER

This matter, having come to the Court's attention on the Stipulation for Entry of a Discovery Protective Order, and Motion to Modify the Protective Order, submitted by the United States of America and Defendant BRIAN FARRELL, and the Court, having considered the motion, and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER:

1. This Protective Order governs all discovery material in any format (written or electronic) that is produced by the government in discovery in the above captioned case and is identified by the government as "Protected Material".

2. The United States will make available copies of discovery materials, including those filed under seal, to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Material is limited to the Defendant, attorneys of record, and investigators, paralegals, law clerks, experts and

1 assistants for the attorneys of record, (hereinafter collectively referred to as members of
2 the defense team).

3 3. The attorneys of record and members of the defense team may display and
4 review the Protected Material with the Defendant, and provide the Defendant with an
5 electronic and written version of the Protected Material. The Defendant, attorneys of
6 record and members of the defense team acknowledge that providing copies of the
7 Protected Material to other persons is prohibited, and agree not to duplicate or provide
8 copies of the Protected Material to other persons.

9 4. The United States Attorney's Office for the Western District of Washington
10 is similarly allowed to display and review the Protected Material to lay witnesses, but is
11 otherwise prohibited from providing copies of the Protected Material to lay witnesses, i.e.
12 non-law enforcement witnesses.

13 5. The Defendant may petition the Court to request modification or
14 termination of the Protective Order upon further review of the Protected Materials.

15 6. Nothing in this order should be construed as imposing any discovery
16 obligations on the government or the defendant that are different from those imposed by
17 case law and Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal
18 Rules.

19 7. Any Protected Material that is filed with the Court in connection with pre-
20 trial motions, trial, sentencing, or other matter before this Court, shall be filed under seal
21 and shall remain sealed until otherwise ordered by this Court. This does not entitle either
22 party to seal their filings as a matter of course. The parties are required to comply in all
23 respects to the relevant local and federal rules of criminal procedure pertaining to the
24 sealing of court documents.

25 8. The provisions of this Order shall not terminate at the conclusion of this
26 prosecution.

27 9. Any violation of any term or condition of this Order by the Defendant, his
28 attorney(s) of record, any member of the defense team, or any attorney for the United

1 States Attorney's Office for the Western District of Washington, may be held in contempt
2 of court, and/or may be subject to monetary or other sanctions as deemed appropriate by
3 this Court.

4 If the Defendant violates any term or condition of this Order, the United States
5 reserves its right to seek a sentencing enhancement for obstruction of justice, or to file
6 any criminal charges relating to the Defendant's violation.

7 DATED this 10th day of December, 2015.

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10 The Honorable Richard A. Jones
11 United States District Judge
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